



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
530 SOUTH KING STREET, ROOM 202
HONOLULU, HAWAII 96813-3065
TELEPHONE: (808) 768-5010 • FAX: (808) 768-5011

RON MENOR
COUNCIL CHAIR EMERITUS
(808) 768-5009
e-mail: rmenor@honolulu.gov

August 20, 2020

TO: PEARLENE OTTO, COMMITTEE CLERK
COMMITTEE ON ZONING, PLANNING & HOUSING

FROM: COUNCILMEMBER RON MENOR, CHAIR *RM*
COMMITTEE ON ZONING, PLANNING & HOUSING

RE: DRAFT COMMITTEE REPORT AND REPEAL BILL RELATING TO THE
REVIEW AND EVALUATION OF THE OAHU HISTORIC
PRESERVATION COMMISSION

Transmitted herewith for placement on the August 27, 2020 Zoning, Planning and Housing agenda is a draft committee report and repeal bill relating to the Committee's review and evaluation of the Oahu Historic Preservation Commission, pursuant to ROH Chapter 3, Article 15 (Ordinance 17-44).

Please number this communication and place it on DocuShare.

Attachments

20AUG20 PM 2:12 CITY CLERK

COUNCIL COM. 215

REPORT OF THE COMMITTEE ON ZONING, PLANNING AND HOUSING

Voting Members:

**Ron Menor, Chair; Tommy Waters, Vice-Chair;
Brandon J.C. Elefante, Ann H. Kobayashi, Joey Manahan**

**Committee Meeting Held
August 27, 2020**

**Honorable Ikaika Anderson
Chair, City Council
City and County of Honolulu**

Mr. Chair:

Your Committee on Zoning, Planning and Housing, to which was referred the review and evaluation of the Oahu Historic Preservation Commission pursuant to Ordinance 17-44 (codified as ROH Chapter 3, Article 15), reports as follows:

The purpose of the review and evaluation is to determine whether the ordinance establishing the Oahu Historic Preservation Commission should be retained, amended, or repealed. Ordinance 17-44 implements Charter Section 13-103.2, which mandates the periodic review and evaluation of certain City boards and commissions as provided by ordinance.

The Oahu Historic Preservation Commission was established by Chapter 3, Article 10 of the Revised Ordinances of Honolulu 1990 ("ROH"), and has the following powers, duties, and functions:

- 1. Protect and preserve historic properties and artifacts in the City and encourage, where appropriate, special emphasis and attention to the cultural resources of the native Hawaiian people;**
- 2. Encourage the restoration, rehabilitation, and continued functional use of historic properties;**
- 3. Encourage the identification, preservation, maintenance, development, promotion, and enhancement of historic properties that represent or reflect distinctive elements of cultural, social, economic, political, and**

**CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII**

ADOPTED ON _____

COMMITTEE REPORT NO. _____

REPORT OF THE COMMITTEE ON ZONING, PLANNING AND HOUSING

Voting Members:

**Ron Menor, Chair; Tommy Waters, Vice-Chair;
Brandon J.C. Elefante, Ann H. Kobayashi, Joey Manahan**

**Committee Meeting Held
August 27, 2020
Page 2**

architectural history; and encourage the designation of historic properties, thereby ensuring that the City's cultural and historic heritage will be imparted to present and future generations of residents and visitors; and

4. Formulate City-wide and comprehensive historic preservation policies, programs, and plans.

The Oahu Historic Preservation Commission consists of nine members appointed by the Mayor with the approval of the Council. The Commission members are appointed from among professionals and individuals with special interest in the following disciplines:

1. Architecture;
2. History;
3. Archaeology;
4. Planning;
5. Architectural history; and
6. Hawaiian culture.

The Commission must include an expert in architectural history, two archaeologists, a Hawaiian mythology expert and native speaker, an expert in Hawaiian culture, and a Hawaiian Kahu (religious expert). At least a majority of the Commission members must be professionals from among the disciplines listed in (1) through (6) above. Members must also reflect an ethnic diversity to carry out the purposes of the Commission to identify, protect, preserve, and restore historic properties and artifacts of all ethnic cultures.

By Departmental Communication 160 (2020), dated March 5, 2020, the Department of Planning and Permitting ("DPP"), which is the agency to which the Oahu Historic Preservation Commission is attached, submitted to the Council a report on the

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON _____

COMMITTEE REPORT NO. _____

REPORT OF THE COMMITTEE ON ZONING, PLANNING AND HOUSING

Voting Members:

**Ron Menor, Chair; Tommy Waters, Vice-Chair;
Brandon J.C. Elefante, Ann H. Kobayashi, Joey Manahan**

**Committee Meeting Held
August 27, 2020
Page 3**

Commission's accomplishments and activities, as required by Ordinance 17-44 (ROH Section 3-15.4).

At your Committee's meeting on August 27, 2020, the DPP Acting Director testified that _____.

[No public testimony was received on the Oahu Historic Preservation Commission.]

[Your Committee received testimony from _____, and ____ individuals in support; _____, and ____ individuals in opposition; and _____, and ____ individuals offering comments on the Oahu Historic Preservation Commission].

[Your Committee also received written testimony on the Oahu Historic Preservation Commission from _____, and ____ individuals in support; _____, and ____ individuals in opposition; and _____, and ____ individuals offering comments]

Your Committee, after due consideration, makes the following findings:

1. Ordinance 93-55, enacted on June 10, 1993, established the Oahu Historic Preservation Commission.
2. The Oahu Historic Preservation Commission has never been constituted.
3. The DPP supports historic preservation through special land use controls under the City's zoning ordinances and rules, which protect historic buildings and structures in the various special districts, notably the Chinatown Special District, Hawaii Capitol Special District, and Haleiwa Special District.

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON _____

COMMITTEE REPORT NO. _____

REPORT OF THE COMMITTEE ON ZONING, PLANNING AND HOUSING

Voting Members:

**Ron Menor, Chair; Tommy Waters, Vice-Chair;
Brandon J.C. Elefante, Ann H. Kobayashi, Joey Manahan**

**Committee Meeting Held
August 27, 2020
Page 4**

4. Historic buildings and structures are registered and eligible for registration on the register of historic places, which is maintained by the State of Hawaii Department of Land and Natural Resources, State Historic Preservation Division ("SHPD"). The DPP consults with SHPD prior to issuing building permits.
5. A Design Advisory Committee, which reviews major projects in each of the special districts, is required by ordinance to include a representative from SHPD.
6. The powers, duties, and functions of the Oahu Historic Preservation Commission are duplicative of the powers, duties, and functions of SHPD.

Based on the foregoing, your Committee makes the following recommendations:

That ROH Chapter 3, Article 10, be repealed because although the Oahu Historic Preservation Commission was established approximately 27 years ago by Ordinance 93-55, the Oahu Historic Preservation Commission has never been constituted, and the historic preservation responsibilities of the Oahu Historic Preservation Commission is duplicative of the historic preservation responsibilities of SHPD.

A draft bill implementing your Committee's recommendations is attached hereto.

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON _____

COMMITTEE REPORT NO. _____

REPORT OF THE COMMITTEE ON ZONING, PLANNING AND HOUSING

Voting Members:

**Ron Menor, Chair; Tommy Waters, Vice-Chair;
Brandon J.C. Elefante, Ann H. Kobayashi, Joey Manahan**

**Committee Meeting Held
August 27, 2020
Page 5**

Your Committee on Zoning, Planning and Housing recommends that this Committee Report be scheduled for a public hearing and be adopted by the Council as the Council's determination on the review and evaluation of the Oahu Historic Preservation Commission. (Ayes: ; Ayes with reservations: ; Noes: ; Excused: .)

Respectfully submitted,

Committee Chair

**CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII**

ADOPTED ON _____

COMMITTEE REPORT NO. _____



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL _____

A BILL FOR AN ORDINANCE

RELATING TO THE OAHU HISTORIC PRESERVATION COMMISSION.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to repeal the ordinance establishing the Oahu Historic Preservation Commission.

SECTION 2. Chapter 3, Article 10, Revised Ordinances of Honolulu 1990 ("Oahu Historic Preservation Commission"), is repealed.



CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL _____

A BILL FOR AN ORDINANCE

SECTION 3. This ordinance takes effect upon its approval.

INTRODUCED BY:

DATE OF INTRODUCTION:

Honolulu, Hawaii

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20 _____.

KIRK CALDWELL, Mayor
City and County of Honolulu